

Introduced by Senator Machado

February 22, 2008

An act to amend Section 15819.41 of the Government Code, relating to prison construction.

LEGISLATIVE COUNSEL'S DIGEST

SB 1665, as introduced, Machado. Prison construction.

Existing law authorizes the Department of Corrections and Rehabilitation to add approximately 4,000 beds at existing prison facilities, as specified.

This bill would make a technical, nonsubstantive change to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 15819.41 of the Government Code is
2 amended to read:
3 15819.41. (a) The Department of Corrections and
4 Rehabilitation shall complete site assessments at prison facilities
5 where it intends to construct or renovate additional prison housing
6 units, prison support buildings, and programming space in order
7 to add approximately 4,000 beds at existing prison facilities. The
8 department may use the funding provided in Section 28 of Chapter
9 7 of the Statutes of 2007 to complete the site assessments. After
10 completing these site assessments the department shall define the
11 scope and costs of each project pursuant to subdivision (d). This
12 authorization is in addition to the authorization in subdivision (a)

1 of Section 15891.40. Any new beds constructed shall be supported
2 by rehabilitative programming for inmates, including, but not
3 limited to, education, vocational programs, substance abuse
4 treatment programs, employment programs, and prerelease
5 planning. The Department of Corrections and Rehabilitation is
6 *hereby* authorized to design, construct, or renovate prison housing
7 units, prison support buildings, and programming space in order
8 to add approximately 4,000 beds at existing prison facilities. This
9 authorization is in addition to the authorization in subdivision (a)
10 of Section 15819.40. Any new beds constructed shall be supported
11 by rehabilitative programming for inmates, including, but not
12 limited to, education, vocational programs, substance abuse
13 treatment programs, employment programs, and prerelease
14 planning. The authority contained in this subparagraph together
15 with the funds appropriated in Section 15819.413 for this purpose,
16 shall constitute the scope and cost of a single capital outlay project
17 for purposes of calculating augmentations pursuant to Section
18 13332.11 as described in Section 15819.411.

19 (b) The Department of Corrections and Rehabilitation is
20 authorized to design and construct new, or renovate existing
21 buildings at facilities under the jurisdiction of the department to
22 provide medical, dental, and mental health treatment or housing
23 for approximately 2,000 inmates. This authorization is in addition
24 to the authorization in subdivision (c) of Section 15819.40. The
25 authority contained in this subparagraph together with the funds
26 appropriated in Section 15819.413 for this purpose, shall constitute
27 the scope and cost of a single capital outlay project for purposes
28 of calculating augmentations pursuant to Section 13332.11 as
29 described in Section 15819.411.

30 (c) The Department of Corrections and Rehabilitation is
31 authorized to construct, establish, and operate reentry program
32 facilities throughout the state that will house approximately 10,000
33 inmates pursuant to Section 6271.1 of the Penal Code, and together
34 with the funds appropriated in Section 15819.413 for this purpose,
35 this shall constitute the scope and cost of a single capital outlay
36 project for purposes of calculating augmentations pursuant to
37 Section 13332.11 as described in Section 15819.411.

38 (d) (1) The reporting requirements set forth in Sections 7000
39 to 7003.5, inclusive, of the Penal Code, shall apply separately to
40 each institution or facility. The scope and cost of the project for

each institution or facility shall be established by the State Public Works Board individually. The amount of the total appropriations in Section 15819.413 that is necessary for each project shall be allocated to each institution or facility project. The appropriations may be allocated based on current estimates. These initial allocations may be adjusted commensurate to changes that occur during the progression of the projects. As allocations are made or adjusted, the anticipated deficit or savings shall be continuously traced and reported. Once the total appropriation has been allocated, any augmentation necessary to fund an anticipated deficit shall be based on the total applicable capital outlay appropriation in Section 15819.413 and applied to each project allocation as necessary.

(2) For each institution, the department shall report to the Joint Legislative Budget Committee, identifying those projects that the department proposes to undertake, and any support buildings, and programming space to support approximately 4,000 new beds at existing institutions. For each institution, the department shall describe the scope, budget, schedule, number of beds by security level, along with approximate square footage of prison support buildings, and programming space to be constructed or renovated. If after providing these reports, the committee fails to take any action with respect to each report within 30 days after submittal, this inaction shall be deemed to be approval for purposes of this section, and the department is authorized to proceed to design, construct, or renovate prison housing units, support buildings, and programming space for each institution for which a report has been approved.

(3) The Department of Corrections and Rehabilitation shall notify the Joint Legislative Budget Committee 45 days prior to the submission of preliminary plans to the board for each project authorized in this section. If after providing these notifications, the committee fails to take any action with respect to each report within 45 days after submittal, this inaction shall be deemed to be approval for purposes of this section, and the department is authorized to design, construct, or renovate prison housing units, support buildings, and programming space for each institution for which a report has been approved.

(4) The Department of Corrections and Rehabilitation shall report quarterly to the Joint Legislative Budget Committee on the allocations from the appropriations in Section 15819.413 and the

1 anticipated deficit or savings. Each reentry program facility
2 authorized under subdivision (c) shall be considered to be a
3 separate project. Each medical, mental health, or dental building
4 improvement authorized under subdivision (b) shall be considered
5 to be a separate project, except that building improvements that
6 have a related purpose and that are located at the same prison may
7 be considered one project, for reporting purposes pursuant to
8 Sections 7000 and 7003.5 of the Penal Code.

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